

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

*This document relates to:*  
All cases

No. 03 MDL 1570 GBD FM

**DECLARATION OF ROBERT K. KRY**

Pursuant to 28 U.S.C. § 1746, ROBERT K. KRY declares as follows:

1. I am a member of the bar of this Court and represent defendant Dallah Avco Trans Arabia Co. (“Dallah Avco”) in this action. This declaration is based on my personal knowledge.
2. Attached as Exhibit 1 is a June 3, 2015 letter I sent to plaintiffs’ counsel.
3. Attached as Exhibit 2 is a June 16 and 17, 2015 email exchange I had with plaintiffs’ counsel. Plaintiffs’ counsel never responded to my June 17, 2015 email.
4. Attached as Exhibit 3 is a December 11 and 12, 2015 email exchange I had with plaintiffs’ counsel.
5. Attached as Exhibit 4 is a January 5, 2016 letter from plaintiffs’ counsel.
6. Attached as Exhibit 5 is a January 14, 2016 letter I sent to plaintiffs’ counsel.
7. On January 15, 2016, I participated in a meet and confer call with plaintiffs’ counsel at which Dallah Avco’s document production was discussed.
8. Attached as Exhibit 6 is a January 22, 2016 letter from plaintiffs’ counsel.
9. Attached as Exhibit 7 is a January 26, 2016 letter I sent to plaintiffs’ counsel.
10. Attached as Exhibit 8 is a February 3, 2016 letter from plaintiffs’ counsel.

11. Attached as Exhibit 9 is a March 4, 2016 letter I sent to plaintiffs' counsel.<sup>1</sup>
12. Attached as Exhibit 10 is an April 11, 2016 letter I sent to plaintiffs' counsel.
13. According to our records, from February 2014 through today's date, Dallah Avco has produced a total of 20 volumes of documents containing 10,063 pages of documents.
14. At page 2 of their motion to compel (Dkt. 3211), plaintiffs state that Dallah Avco failed to produce documents explaining its change in position between its April 4, 1999 and April 7, 1999 letters to the PCA regarding the renewal of Omar Al-Bayoumi's secondment. Prior to the filing of their motion to compel, plaintiffs never raised this concern with Dallah Avco's counsel – in correspondence, during our meet and confer calls, or otherwise.
15. At page 9 of their motion to compel, plaintiffs state that Dallah Avco failed to produce a copy of the file jacket for Omar Al-Bayoumi's employee file. To the best of my recollection, prior to the filing of their motion to compel, plaintiffs never raised that concern with Dallah Avco's counsel either.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: May 24, 2016  
New York, New York

  
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Robert K. Kry

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<sup>1</sup> The second paragraph of this letter reports the number of ANSS employee files as 1,274. I later learned that the correct number is 1,411, and advised plaintiffs' counsel accordingly.